

**Remarks**

This amendment is in response to the Notice of Non-Compliant Amendment issued February 28, 2007, and replaces applicant's amendment filed February 12, 2007.

Claims 1, 2, and 4-30 remain in this application. Claims 1, 28 and 30 are independent claims directed to a device for milking an animal, a method of milking an animal, and a milking robot including the device. Claims 1, 28 and 30 have been amended to include the limitations of claim 3, now cancelled, and claims 4, 7, 10 and 23 have been amended to now depend from claim 1 instead of claim 3 which has been cancelled.

In the Office Action, the Examiner relied upon two prior U.S. Patents as anticipating or rendering obvious claims 1, 2, 9, 11-14, 17-19, 21, 22 and 24-30. U.S. Patent No. 6,694,830 shows a sampling device 50 which is particularly suitable for testing mastitis in milking animals. The sampling device can be arranged in a milk line 11. A sampling probe 57 is mounted inside the sampling device 50. When the sampling device 50 is applied in the milk line 11, it is evident from the discussion at column 6, lines 60-64 of this reference, that the sampling device 50 is cleaned in the normal cleaning and rinsing cycle between the milking of one animal and the next animal. As a consequence, the statement of the Examiner in the Office Action that "the device comprises flow means arranged to provide a milk flow, from the animal, through at least a part of the passage at least a time period before a milk sample is taken in order to rinse at least said part of the passage from the milk residues from a previously milked animal" seems to be incorrect.

Application No. 10/512,011

Title: A DEVICE AND A METHOD FOR SAMPLING OF MILK

Response to Office Action dated June 8, 2006

With regard to U.S. Patent No. 5,958,081, this patent shows an automatic milking apparatus. Fig. 3 shows a line system for milk and a rinsing liquid. The system further incorporates computer-controllable valves 28 for directing milk samples to sample bottles 29. It is not further described in the document how the sampling of the milk is performed. The rinsing of the line system seems to be carried out in a conventional manner between the milking processes by means of the rinsing fluid which is stored in a rinsing fluid reservoir 36. Consequently, the statement in the Office Action that milk is used for rinsing that milk used for rinsing a milk passage before a milk sampling is taken does not appear to be correct given the teachings of the disclosure of the '081 patent.

Still, in the Office Action of October 11, 2006, the Examiner indicated that claims 3-8, 10, 15, 16, 20 and 23 presented allowable subject matter. Applicant has now incorporated the limitations of claim 3 into the remaining independent claims. Accordingly, the application should now be in condition for allowance, and such is courteously requested. Should the Examiner have any additional issues which may be resolved by a telephone conference, she may address them to the undersigned at 1-800-445-3460. Any additional fees necessitated by this submission may be charged to Deposit Account 19-0522.

Respectfully submitted,  
HOVEY WILLIAMS LLP

By 

Thomas H. Van Hoozer, Reg. #32761  
Suite 400  
2405 Grand Boulevard  
Kansas City, Missouri 64108  
(816) 474-9050

(Docket No. 35290)